

Good morning, and thank you for Chairman Hune and members of the Committee for the opportunity to present to you today. My name is Cheryl Gibson, I am an Obstetrician with a practice serving patients predominantly from Detroit.

As an Obstetrician practicing in the Detroit area, I am acutely aware of the importance of meaningful tort reforms. Prior to the enactment of tort reforms in 1993, physicians were leaving the Detroit metro area in large numbers and certain specialty care such as Obstetrical care was nearly impossible to find for pregnant moms inside of the city. Women could not find doctors.

As an obstetrician, I am particularly concerned about the ability of women to access obstetrical care, not just in my community but across the state. In the northern portion of the lower peninsula, there are seventeen contiguous counties that lack obstetrical services. Pregnant moms in these areas are left to potentially drive several hours to reach a facility where they can safely deliver their babies.

Just as is the case in many of the rural areas of Northern Michigan, as a physician who primarily serves Detroit, there is not a long line of young physicians looking to take my place if I were to retire. As physicians, our services are in demand across the country and the physicians trained in Michigan and elsewhere generally have multiple job offers across the country. We need your help and support to make Michigan an attractive state to practice by making very reasonable changes to the statutes regarding professional liability.

Tort reform is an extension of many of the policies pursued by the legislature. As small businesses, physician practices share the desire to have the state economy improve. Additionally, efforts to make the tax code and regulations more business friendly are important to making Michigan more attractive to physicians. In the budget, efforts by the Senate to restore Graduate Medical Education funding and increase Medicaid fees paid to physicians performing labor and deliveries have been important to hopefully reverse the trend in Northern Michigan. Tort reform is yet another tool legislators have at your disposal to make Michigan a more attractive state to recruit and retain physicians to Michigan.

As some of you may already know, Michigan is facing a potentially serious physician shortage over the next decade. As the population of the state ages, the demand for health care services increases. Additionally, the demographics for physicians are also alarming, as approximately 40 percent of physicians currently practicing in Michigan intend to retire within the next ten years. Consequently, Michigan is projected to have a shortage of approximately 4,500 physicians within the next decade. My experience in Detroit is particularly alarming because I see firsthand that when physicians retire in underserved areas, they simply can't find younger physicians to take over their practice.

As a physician, litigation is an unfortunate fact of life. Lawsuits are expensive for all parties involved. For physicians, it means incurring expenses associated with hiring defense attorneys, time away from patients and the associated loss of income from not practicing in order to be in court, as well as the emotional toll this places on physicians and their families. So even in cases where physicians win at trial, they have essentially lost all of that time and all of those resources. Fear of being sued has been demonstrated to adversely affect the way physicians practice by seeking out limiting the services they offer to reduce their exposure to liability.

In total, these bills will have a meaningful impact on the medical liability climate in Michigan, largely by leveling the playing field between the plaintiffs and the defense. These bills do not amend the standard of care, and these bills do not place any limit on the ability of a patient to collect actual economic damages. MSMS believes that collectively these bills will send a clear message to physicians that our state is an innovator in the area of tort reform and enhance our reputation as we seek to attract and retain physicians to Michigan.

Thank you very much for this opportunity.